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Applicant	: Rob K. Corell et al.	Art Unit	: 2176
Serial No.	: 09/436,044	Examiner	: Rachna Singh
Filed	: November 8, 1999		

Title   : STYLE SHEET GENERATION

Mail Stop Appeal Brief - Patents
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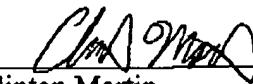
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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BRIEF ON APPEAL

(1)   Real Party in Interest

The real party in interest is Adobe Systems Incorporated.

(2)   Related Appeals and Interferences

None.

(3)   Status of Claims

Claims 1-15, 18-25, and 30-34 are pending. Claims 16-17 and 26-29 have been cancelled. Claims 1-15, 18-25, and 30-34 stand rejected. Applicant appeals the rejection of claims 1-15, 18-25, and 30-34.

(4)   Status of Amendments

There are no unentered amendments.

(5)   Summary of Claimed Subject Matter

A method and a computer program product are claimed that define styles for a computer-readable document. *See* Specification, page 4, lines 22-25; page 8, lines 10-14. A
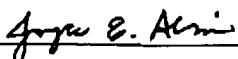
formatted document is received. The formatted document has formatted text including a plurality of words, and each word includes one or more characters. *See* Specification, page 4, lines 22-28. Each character has a character appearance that is defined by one or more font properties, and each word has a word appearance that is defined by the font properties of its characters. *See* Specification, page 4, lines 26-28; page 6, lines 12-16. The formatted document is formatted on one or more pages, and each word has a position relative to one of the one or more pages. *See* Specification, page 4, lines 26-28. The formatted text is partitioned into a plurality of groups of words based on the positions of the words relative to their respective pages, the font properties of the words, or both. *See* Specification, page 5, lines 1-3; page 5, lines 15-18; page 5, line 27-31. An element from a predefined set of markup language elements is assigned to each of two or more groups in the plurality of groups of words, and the assignment is based on the positions of the words relative to their respective pages, the font properties of the words, or both. *See* Specification, page 5, line 4 to page 6, line 10. After the element is assigned to each of two or more groups of words, an element style is derived for the assigned element, where the element style includes a character style, a layout style, or both. *See* Specification, page 6, line 11 to page 7, line 19. The character style is derived from the font properties of the characters of the words in the two or more groups of words to which the element is assigned, and the layout style is derived from the text properties of the two or more groups of words to which the element is assigned. *See* Specification, page 6, lines 11-27. An electronic document is created that includes a style sheet defining the element style. *See* Specification, page 7, line 20 to page 8, line 2.

The text can be partitioned into groups of words according to the positions of the words relative to their respective pages, and the element can be assigned solely on the basis of the positions of the words relative to their respective pages. *See* Specification, page 5, lines 15-26. Alternatively, the text can be partitioned into groups of words according to the font properties of the words in the text, and the element can be assigned solely on the basis of the font properties of the words in the two or more groups of words. *See* Specification, page 5, line 27 to page 6, line 2. Each group of words can have a group appearance defined by one or more text properties, and the method can include comparing the group appearances of all groups of words to which the assigned element is assigned, creating one or more alternate elements if the differences among

the group appearances exceed a predefined threshold, and assigning each group of words to the original assigned element or an alternate element. *See* Specification, page 6, line 18 to page 7, line 19.

(6)   Grounds of Rejection

Claims 1-15, 18-25 and 30-34 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,088,711 to Fein et al. ("Fein").

(7)   Argument

Rejections under 35 U.S.C. § 103(a) over Fein

<u>Claims 1, 8-15, 18-21, and 30-34</u>

Claim 1 and claims 8-15 and 18-20, which depend from claim 1, stand rejected over Fein.

Fein describes a system that applies a style to a paragraph in a document after a user creates or edits the paragraph in a word processing application. Column 4, lines 44-49; column 13, lines 5-8. After the user creates or edits the paragraph, a trigger indicates that the system should apply a style to the paragraph. Column 6, lines 52-65. The system determines what type of paragraph the paragraph is and applies a style to it. Column 7, lines 6-8; abstract. A new style may be defined for and applied to the paragraph, or an existing style may be applied to it. Abstract. Fein's system determines a style for a paragraph and applies the style to the paragraph immediately after the paragraph is created or edited. Column 12, line 64 to column 13, line 8.

Claim 1 recites a method that receives a formatted document that includes formatted text. The method partitions the formatted text into multiple groups of words and assigns an element to two or more of the groups of words, where the element is selected from a set of markup language elements. The method derives an element style for the assigned element from properties of the multiple groups of words to which the element is assigned.

The Examiner rejected claim 1, arguing that Fein teaches defining a style for a paragraph and that a paragraph includes two or more groups of words. The Examiner finds support for this at column 3, lines 18-60. The Examiner's argument ignores the actual limitations of claim 1.

Fein does not partition text into a plurality of groups of words, assign an element to two or more of the groups of words, and derive a style for the element based on the two or more groups of words. While Fein's paragraph may include several words that could be grouped, Fein does not perform the steps of <u>partitioning</u> the paragraph into a plurality of groups of words, <u>assigning</u> an element to <u>each of the</u> two or more of the groups of words, and then <u>deriving a style</u> from the two or more groups of words. Rather, Fein treats a paragraph as a <u>single group of words</u> to define a style for it. Column 13, lines 5-8.

The Examiner also argues that Fein can assign a previously defined style to a second paragraph and concludes that Fein is applying a style to more than one group of words. While the Examiner is correct that a style defined in Fein can be applied to multiple paragraphs, this is not pertinent to claim 1.

Claim 1 requires that a style be <u>derived</u> for an element "after the element is assigned to each of two or more groups of words." In Fein, each style is defined as soon as an element is assigned to a single paragraph. Column 13, lines 5-8. Fein determines an appropriate style to define for the single paragraph based on the likely function of the paragraph in the document. Column 9, lines 44-47. If that style has not been defined previously, Fein creates the new style with the formatting properties of the paragraph. Column 4, lines 44-67; column 12, line 64 to column 13, line 14; column 9, line 54 to column 10, line 10. In Fein, a style already has been defined based on only one paragraph before Fein assigns the style to a second paragraph, and assigning a defined style to a second paragraph does not satisfy the limitation of deriving a style from multiple groups of words.

For at least the foregoing reasons, claim 1 and dependent claims 8-15 and 18-20 are allowable over Fein.

Claim 21 and claims 30-34, which depend from claim 21, stand rejected as unpatentable over Fein. Claim 21 recites a computer program product with features corresponding to those of claim 1. For at least the reasons set forth above with respect to claim 1, claim 21 and dependent claims 30-34 are allowable over Fein.

<u>Claims 2 and 22</u>

Claim 2 stands rejected over Fein.

Claim 2 depends from claim 1 and further recites that the element is assigned solely on the basis of the positions of words relative to their respective pages.

Fein discloses determining the positions of words relative to other words. Column 3, lines 59-60.

The Examiner argues that Fein considers the position and indentation of a paragraph within a document as well as formatting properties of the text. The Examiner finds support for this assertion in Fein at column 3, lines 18-60. The Examiner contends that it would have been obvious to determine the position of a word relative to a page using this information, but has not presented any motivation for doing so.

Fein does not suggest or disclose assigning an element solely on the basis of the position of words relative to their respective pages. The Examiner has not established a *prima facie* case of obviousness, and the rejection of claim 2 should be withdrawn. *See* MPEP §§ 2141-2143 (citing *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000)).

Claim 22 stands rejected over Fein. Claim 22 depends from claim 21 and recites a computer program product with features corresponding to those of claim 2. For at least the reasons set forth above with respect to claim 2, the rejection of claim 22 should be withdrawn.

Claims 3 and 23

Claim 3 stands rejected over Fein.

Claim 3 depends from claim 1 and further recites that the element is assigned solely on the basis of the font properties of the words in the two or more groups of words to which the element is assigned.

Fein discloses determining the font properties of words. Column 3, lines 45-53.

The Examiner argues that Fein teaches assigning an element based on font properties. The Examiner finds support for this assertion in Fein at column 3, lines 18-60.

Fein, however, does not suggest or disclose assigning an element <u>solely</u> on the basis of font properties of words in two or more groups of words, as recited in claim 3. Fein considers the length of a paragraph, the capitalization of the paragraph, and the punctuation of the paragraph along with font properties when assigning an element to the paragraph. Column 3, lines 18-53.

For at least these reasons and because it depends from claim 1, claim 3 is allowable over Fein.

Claims 23 stands rejected over Fein. Claim 23 depends from claim 21 and recites a computer program product with features corresponding to those of claim 3. For at least the reasons set forth above with respect to claim 3, claim 23 is allowable over Fein.

Claims 4 and 24

Claim 4 stands rejected over Fein.

Claim 4 depends from claim 1 and further recites that the element is assigned based on the positions of words relative to their respective pages and the font properties of the words.

Fein discloses determining font properties of words and the positions of words relative to other words. Column 3, lines 45-60.

The Examiner argues that Fein considers the position and indentation of a paragraph within a document as well as formatting properties of the text. The Examiner finds support for this assertion in Fein at column 3, lines 18-60. The Examiner contends that it would have been obvious to determine the position of a word relative to a page using this information, but has not presented any motivation for doing so.

The Examiner has not established a *prima facie* case of obviousness, and the rejection of claim 4 should be withdrawn. *See* MPEP §§ 2141-2143 (citing *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000)).

Claim 24 stands rejected over Fein. Claim 24 depends from claim 21 and recites a computer program product with features corresponding to those of claim 4. For at least the reasons set forth above with respect to claim 4, the rejection of claim 24 should be withdrawn.

Claims 5-7 and 25

Claims 5-7 stand rejected over Fein.

Claim 5 depends from claim 1 and further recites comparing group appearances of all groups of words to which an assigned element is assigned, creating one or more alternate elements if the differences among the group appearances exceed a predefined threshold, and assigning each group of words to the original assigned element or an alternate element. Thus, if

Applicant : Rob K. Corell et al.   Attorney's Docket No.: 07844-350001 / P324
Serial No. : 09/436,044
Filed   : November 8, 1999
Page   : 7 of 13

the threshold is exceeded, at least one alternate element is created, and element styles are derived for the assigned element and for the alternate element.

In Fein, if major formatting properties of a new paragraph match those of an existing style, the existing style is assigned to the paragraph. If the major formatting properties do not match those of an existing style, a new style may be defined for the paragraph. *See* Fein, figures 2A and 2B.

Fein derives each style based on only a single group of words and does not contemplate assigning groups of words either to an original assigned element or to an alternate element <u>before</u> deriving styles for both elements. For at least these reasons and because it depends from claim 1, claim 5 as well as claims 6-7, which depend from claim 5, are allowable over Fein.

Claim 25 stands rejected over Fein. Claim 25 depends from claim 21 and recites a computer program product with features corresponding to those of claim 5. For at least the reasons set forth above with respect to claim 5, claim 25 is allowable over Fein.

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Respectfully submitted,

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Appendix of Claims

1.   (Previously presented) A method comprising:

receiving a formatted document, the formatted document having formatted text comprising a plurality of words, each word comprising one or more characters, each character having a character appearance defined by one or more font properties and each word having a word appearance defined by the font properties of its characters, the formatted document being formatted on one or more pages, and each word having a position relative to one of the one or more pages;

partitioning the formatted text into a plurality of groups of words based on the positions of the words relative to their respective pages, the font properties of the words, or both;

assigning an element from a predefined set of markup language elements to each of two or more groups in the plurality of groups of words, the assigning being based on the positions of the words relative to their respective pages, the font properties of the words, or both;

after the element is assigned to each of two or more groups of words, deriving an element style for the assigned element, the element style comprising a character style, a layout style or both, the character style being derived from the font properties of the characters of the words in the two or more groups of words to which the element is assigned, and the layout style being derived from the text properties of the two or more groups of words to which the element is assigned; and

creating an electronic document comprising a style sheet defining the element style.

2.   (Previously presented) The method of claim 1, wherein the text is partitioned into groups of words according to the positions of the words relative to their respective pages and the element is assigned solely on the basis of the positions of the words relative to their respective pages.

3.   (Previously presented) The method of claim 1, wherein the text is partitioned into groups of words according to the font properties of the words in the text and the element is assigned solely on the basis of the font properties of the words in the two or more groups of words.

4.   (Previously presented) The method of claim 1, wherein the text is partitioned into groups of words according to the positions of the words relative to their respective pages and the font properties of the words in the text and the element is assigned based on the positions of the words relative to their respective pages and the font properties of the words in the two or more groups of words.

5.   (Previously presented) The method of claim 1, wherein each group of words has a group appearance defined by one or more text properties, the method further comprising:

comparing the group appearances of all groups of words to which the assigned element is assigned, creating one or more alternate elements if the differences among the group appearances exceed a predefined threshold, and assigning each group of words to the original assigned element or an alternate element.

6.   (Original) The method of claim 5, wherein a numeric value defining the predefined threshold is obtained from user input.

7.   (Original) The method of claim 5, wherein a numeric value defining the predefined threshold is a preprogrammed numeric value.

8.   (Previously presented) The method of claim 1, wherein the predefined set of elements is the set of HyperText Markup Language elements defined in HTML 4.0.

9.   (Previously presented) The method of claim 1, wherein the predefined set of elements is the set of Extensible Markup Language elements defined in XML 1.0.

10.   (Original) The method of claim 1, wherein the predefined set of elements comprises:
a header element and a paragraph element.

Applicant : Rob K. Corell et al.   Attorney's Docket No.: 07844-350001 / P324
Serial No. : 09/436,044
Filed   : November 8, 1999
Page   : 10 of 13

11.   (Original) The method of claim 10, wherein the predefined set of elements further comprises:

        an address element, a blockquote element, a list element, a table element and a caption element.

12.   (Original) The method of claim 1, wherein the character style comprises at least one font property and an associated value.

13.   (Original) The method of claim 12, wherein the font property is selected from a predefined set of font properties comprising a font family, a font style, a font weight, a font variant and a font size.

14.   (Original) The method of claim 1, wherein the layout style comprises at least one text property and an associated value.

15.   (Original) The method of claim 14, wherein the text property is selected from a predefined set of text properties comprising a text decoration, a text alignment, a text indentation and a text transformation as defined in CSS1.

16-17. (Cancelled)

18.   (Previously presented) The method of claim 1, further comprising detecting and setting page margins for pages of the document.

19.   (Previously presented) The method of claim 1, wherein the style sheet is an Extensible Stylesheet Language (XSL) style sheet.

20.   (Previously presented) The method of claim 1, further comprising creating an electronic document comprising a markup language version of the formatted document.

21.   (Previously presented) A computer program product, tangibly stored on a computer-readable medium, the product comprising instructions operable to cause a programmable system to:

receive a formatted document, the formatted document having formatted text comprising a plurality of words, each word comprising one or more characters, each character having a character appearance defined by one or more font properties and each word having a word appearance defined by the font properties of its characters, the formatted document being formatted on one or more pages, and each word having a position relative to one of the one or more pages;

partition the formatted text into a plurality of groups of words based on the positions of the words relative to their respective pages, the font properties of the words, or both;

assign an element from a predefined set of markup language elements to each of two or more groups in the plurality of groups of words, the assigning being based on the positions of the words relative to their respective pages, the font properties of the words, or both;

derive an element style for the assigned element after the element is assigned to each of two or more groups of words, the element style comprising a character style, a layout style or both, the character style being derived from the font properties of the characters of the words in the two or more groups of words to which the element is assigned, and the layout style being derived from the text properties of the two or more groups of words to which the element is assigned; and

create an electronic document comprising a style sheet defining the element style.

22.   (Previously presented) The product of claim 21, wherein the text is partitioned into groups of words according to the positions of the words relative to their respective pages and the element is assigned solely on the basis of the positions of the words relative to their respective pages.

23.   (Previously presented) The product of claim 21, wherein the text is partitioned into groups of words according to the font properties of the words in the text and the element is assigned solely on the basis of the font properties of the words in the two or more groups of words.

24.   (Previously presented) The product of claim 21, wherein the text is partitioned into groups of words according to the positions of the words relative to their respective pages and the font properties of the words in the text and the element is assigned based on the positions of the words relative to their respective pages and the font properties of the words in the two or more groups of words.

25.   (Previously presented) The product of claim 21, wherein each group of words has a group appearance defined by one or more text properties, the product further comprising instructions operable to cause a programmable system to:

compare the group appearances of all groups of words to which the assigned element is assigned;

create one or more alternate elements if the differences among the group appearances exceed a predefined threshold; and

assign each group of words to the original assigned element or an alternate element.

26-29. (Cancelled)

30.   (Previously presented) The product of claim 21, wherein:

the predefined set of elements includes a header element and a paragraph element.

31.   (Previously presented) The product of claim 21, wherein:

the character style includes at least one font property and an associated value.

32.   (Previously presented) The product of claim 21, wherein:

the layout style includes at least one text property and an associated value.

33.   (Previously presented) The product of claim 21, further comprising instructions operable to cause a programmable system to:

     detect and set page margins for pages of the document.

34.   (Previously presented) The product of claim 21, further comprising instructions operable to cause a programmable system to:

     create an electronic document including a markup language version of the source document.